

Senate File 2419

S-5318

1 Amend Senate File 2419 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <DIVISION I

5 STANDING APPROPRIATIONS AND RELATED MATTERS

6 Section 1. 2017 Iowa Acts, chapter 170, is amended by adding
7 the following new section:

8 NEW SECTION. SEC. 5A. GENERAL ASSEMBLY — FY 2018-2019.

9 1. The appropriations made pursuant to section 2.12 for the
10 expenses of the general assembly and legislative agencies for
11 the fiscal year beginning July 1, 2018, and ending June 30,
12 2019, are reduced by the following amount:

13 \$ 1,417,318

14 2. The budgeted amounts for the general assembly and
15 legislative agencies for the fiscal year beginning July 1,
16 2018, may be adjusted to reflect the unexpended budgeted
17 amounts from the previous fiscal year.

18 3. Annual membership dues for organizations, associations,
19 and conferences shall not be paid from moneys appropriated
20 pursuant to section 2.12, except reimbursement for travel
21 expenses may be paid to commissioners serving on the commission
22 of uniform state laws.

23 4. Costs for out-of-state travel and per diems for
24 out-of-state travel shall not be paid from moneys appropriated
25 pursuant to section 2.12.

26 Sec. 2. 2017 Iowa Acts, chapter 170, is amended by adding
27 the following new section:

28 NEW SECTION. SEC. 6A. INSTRUCTIONAL SUPPORT STATE AID — FY
29 2018-2019. In lieu of the appropriation provided in section
30 257.20, subsection 2, the appropriation for the fiscal year
31 beginning July 1, 2018, and ending June 30, 2019, for paying
32 instructional support state aid under section 257.20 for such
33 fiscal years is zero.

34 Sec. 3. 2017 Iowa Acts, chapter 170, section 15, is amended
35 to read as follows:

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 SEC. 15. CASH RESERVE FUND APPROPRIATION — FY 2018-2019.
2 There is appropriated from the general fund of the state to the
3 cash reserve fund for the fiscal year beginning July 1, 2018,
4 and ending June 30, 2019, the following amount:

5 ~~\$111,100,000~~
6 113,100,000

7 Sec. 4. Section 257.35, Code 2018, is amended by adding the
8 following new subsection:

9 NEW SUBSECTION. 12A. Notwithstanding subsection 1, and in
10 addition to the reduction applicable pursuant to subsection
11 2, the state aid for area education agencies and the portion
12 of the combined district cost calculated for these agencies
13 for the fiscal year beginning July 1, 2018, and ending June
14 30, 2019, shall be reduced by the department of management by
15 fifteen million dollars. The reduction for each area education
16 agency shall be prorated based on the reduction that the agency
17 received in the fiscal year beginning July 1, 2003.

18 Sec. 5. TAXPAYERS TRUST FUND. On July 1, 2018, any
19 unencumbered and unobligated moneys in the taxpayers trust fund
20 created in section 8.57E are transferred to the general fund
21 of the state.

22 Sec. 6. SALARY MODEL ADMINISTRATOR. The salary model
23 administrator shall work in conjunction with the legislative
24 services agency to maintain the state's salary model used for
25 analyzing, comparing, and projecting state employee salary
26 and benefit information, including information relating to
27 employees of the state board of regents. The department of
28 revenue, the department of administrative services, the five
29 institutions under the jurisdiction of the state board of
30 regents, the judicial district departments of correctional
31 services, and the state department of transportation shall
32 provide salary data to the department of management and the
33 legislative services agency to operate the state's salary
34 model. The format and frequency of provision of the salary
35 data shall be determined by the department of management and

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 the legislative services agency. The information shall be
2 used in collective bargaining processes under chapter 20 and
3 in calculating the funding needs contained within the annual
4 salary adjustment legislation. A state employee organization
5 as defined in section 20.3, subsection 4, may request
6 information produced by the model, but the information provided
7 shall not contain information attributable to individual
8 employees.

9 DIVISION II

10 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

11 Sec. 7. Section 331.424A, subsection 9, Code 2018, as
12 amended by 2018 Iowa Acts, House File 2456, section 14, is
13 amended to read as follows:

14 a. For the fiscal year beginning July 1, 2017, and each
15 subsequent fiscal year, the county budgeted amount determined
16 for each county shall be the amount necessary to meet the
17 county's financial obligations for the payment of services
18 provided under the regional service system management plan
19 approved pursuant to [section 331.393](#), not to exceed an amount
20 equal to the product of the regional per capita expenditure
21 target amount multiplied by the county's population, and, for
22 fiscal years beginning on or after July 1, 2021, reduced by
23 the amount of the county's cash flow reduction amount for the
24 fiscal year calculated under subsection 4, if applicable.

25 b. If a county officially joins a different region, the
26 county's budgeted amount shall be the amount necessary to meet
27 the county's financial obligations for payment of services
28 provided under the new region's regional service system
29 management plan approved pursuant to [section 331.393](#), not to
30 exceed an amount equal to the product of the new region's
31 regional per capita expenditure target amount multiplied by
32 the county's population, and, for fiscal years beginning on
33 or after July 1, 2021, reduced by the amount of the county's
34 cash flow reduction amount for the fiscal year calculated under
35 subsection 4, if applicable.

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 Sec. 8. 2017 Iowa Acts, chapter 170, section 13, is amended
2 to read as follows:

3 SEC. 13. TRANSFER FROM CASH RESERVE FUND. Notwithstanding
4 section 8.56, subsection 3 and subsection 4, paragraph "a" and
5 section 8.57, subsection 1, paragraph "a", there is transferred
6 from the cash reserve fund created in section 8.56 to the
7 general fund of the state for the fiscal year beginning July 1,
8 2016, and ending June 30, 2017, the following amount:
9 \$131,100,000

10 Sec. 9. 2018 Iowa Acts, House File 2441, section 17,
11 subsection 1, is amended by striking the subsection.

12 Sec. 10. 2018 Iowa Acts, Senate File 2117, section 11,
13 subsection 1, is amended to read as follows:

14 1. There is appropriated from the Iowa economic emergency
15 fund created in section 8.55 to the general fund of the state
16 for the fiscal year beginning July 1, ~~2017~~ 2016, and ending
17 June 30, ~~2018~~ 2017, the following amount:
18 \$ 13,000,000

19 Sec. 11. 2018 Iowa Acts, Senate File 2117, section 12, is
20 amended to read as follows:

21 SEC. 12. RETROACTIVE APPLICABILITY. The following
22 provision or provisions of this division of this Act apply
23 retroactively to ~~September 28, 2017~~ June 30, 2017:

24 The section of this division of this Act appropriating
25 moneys from the Iowa economic emergency fund to the general
26 fund in lieu of a prior standing appropriation.

27 Sec. 12. RETROACTIVE APPLICABILITY. The following applies
28 retroactively to May 12, 2017:

29 The section of this division of this Act amending 2017 Iowa
30 Acts, chapter 170, section 13.

31 Sec. 13. RETROACTIVE APPLICABILITY. The following applies
32 retroactively to the effective date of section 256.9A, as
33 enacted by 2018 Iowa Acts, House File 2441, section 1:

34 The section of this division of this Act amending 2018 Iowa
35 Acts, House File 2441, section 17, subsection 1.

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 2018, as amended by 2018 Iowa Acts, Senate File 2310, section
2 47, is amended to read as follows:

3 a. Notwithstanding [section 123.49, subsection 1](#), any
4 person who is injured in person or property or means of
5 support by an intoxicated person who is under legal age or
6 resulting from the intoxication of a person who is under
7 legal age, has a right of action for all damages actually
8 sustained, severally or jointly, against a person who is
9 not a licensee or permittee and who dispensed or gave any
10 alcoholic beverage to the intoxicated underage person when the
11 nonlicensee or nonpermittee who dispensed or gave the alcoholic
12 beverage to the underage person knew or should have known the
13 underage person was intoxicated, or who dispensed or gave any
14 alcoholic beverage to the underage person to a point where the
15 nonlicensee or nonpermittee knew or should have known that the
16 underage person would become intoxicated.

17 Sec. 19. Section 135.16A, subsection 1, paragraph a, as
18 enacted by 2018 Iowa Acts, House File 2408, section 1, is
19 amended to read as follows:

20 a. "*Conventional eggs*" means eggs ~~others~~ other than
21 specialty eggs.

22 Sec. 20. Section 147C.1, subsection 7, paragraph e,
23 subparagraph (2), subparagraph division (h), as enacted by 2018
24 Iowa Acts, House File 2425, section 1, is amended to read as
25 follows:

26 (h) Disclosure of investigative records compiled for law
27 enforcement purposes ~~of any of the following~~.

28 Sec. 21. Section 148H.1, subsection 4, as enacted by 2018
29 Iowa Acts, Senate File 2228, section 5, is amended to read as
30 follows:

31 4. "*Genetic counseling intern*" means a student enrolled in
32 a genetic counseling program accredited by the accreditation
33 council for genetic counseling or its equivalent or successor
34 organization, or the American board of medical genetics and
35 genomics or its equivalent or successor organization.

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 Sec. 22. Section 256.7, subsection 21, paragraph b,
2 subparagraph (2), subparagraph division (d), as enacted by 2018
3 Iowa Acts, House File 2235, section 1, is amended to read as
4 follows:

5 (d) That the assessment be peer-reviewed by an independent,
6 third-party evaluator to determine that the assessment is
7 aligned with the Iowa core academic standards, provides
8 a measurement of student growth and student proficiency,
9 and meets the summative assessment requirements of the
10 federal Every Student Succeeds Act, Pub. L. No. 114-95. The
11 assessment developed by the Iowa testing service program
12 within the university of Iowa college of education shall ~~make~~
13 ~~any necessary adjustments as determined by the peer review~~
14 be adjusted as necessary to meet the requirements of this
15 subparagraph (2) as determined by the peer review.

16 Sec. 23. Section 256.42, subsection 5, Code 2018, as amended
17 by 2018 Iowa Acts, Senate File 2131, section 1, is amended to
18 read as follows:

19 5. Under the initiative, a student must be enrolled in
20 a participating school district or accredited nonpublic
21 school or be receiving private instruction under chapter 299A
22 as described in subsection 1. For a student enrolled in a
23 participating school district or accredited nonpublic school,
24 the school district or school is responsible for recording
25 grades received for initiative coursework in a student's
26 permanent record, awarding high school credit for initiative
27 coursework, and issuing a high school diploma ~~diplomas~~ to a
28 student enrolled in the district or school who participates and
29 completes coursework under the initiative. Each participating
30 school shall identify a site coordinator to serve as a student
31 advocate and as a liaison between the initiative staff and
32 teachers and the school district or accredited nonpublic
33 school. The individual providing instruction to a student
34 under [chapter 299A](#) as described in subsection 1 shall receive
35 the student's score for completed initiative coursework.

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 Sec. 24. Section 261.131, subsection 1, paragraph d, Code
2 2018, as enacted by 2018 Iowa Acts, House File 2458, section
3 12, is amended to read as follows:

4 *d. "Eligible program"* means a program of study or an
5 academic major jointly approved by the commission and the
6 department of workforce development, in consultation with an
7 eligible institution, that leads to a credential aligned with a
8 high-demand job designated by the workforce development board
9 or a community college pursuant to section 84A.1B, subsection
10 13A. If the board or a community college removes a high-demand
11 job from a list created under section 84A.1B, subsection 13A,
12 an eligible student who received a scholarship for a program
13 based on that high-demand job shall continue to receive the
14 scholarship until achieving a postsecondary credential, up to
15 an associate degree, as long as the student continues to meet
16 all other eligibility requirements.

17 Sec. 25. Section 280.13C, subsection 4, paragraph a, Code
18 2018, as amended by 2018 Iowa Acts, House File 2442, section 1,
19 is amended to read as follows:

20 *a.* The department of public health, Iowa high school
21 athletic association, and the Iowa girls high school athletic
22 union shall work together to distribute the guidelines of the
23 centers for disease control and prevention guidelines of the
24 United States department of health and human services and other
25 pertinent information to inform and educate coaches, students,
26 and the parents and guardians of students of the risks, signs,
27 symptoms, and behaviors consistent with a concussion or brain
28 injury, including the danger of continuing to participate in
29 extracurricular interscholastic activities after suffering a
30 concussion or brain injury and their responsibility to report
31 such signs, symptoms, and behaviors if they occur.

32 Sec. 26. Section 280.13C, subsection 8, paragraph a, Code
33 2018, as amended by 2018 Iowa Acts, House File 2442, section 1,
34 is amended to read as follows:

35 *a.* A school district or accredited nonpublic school that

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 adopts and follows the protocol required by this section and
2 provides an emergency medical care provider or a licensed
3 health care provider at a contest that is a contact or limited
4 contact activity as identified by the American academy of
5 pediatrics shall not be liable for any claim for injuries or
6 damages based upon the actions or inactions of the emergency
7 medical care provider or the licensed health care provider
8 present at the contest at the request of the school district
9 or accredited nonpublic school so long as the emergency
10 medical care provider or the licensed health care provider
11 acts reasonably and in good faith and in the best interest of
12 the student athlete and without undue influence of the school
13 district or accredited nonpublic school or coaching staff
14 employed by the school district or accredited nonpublic school.
15 A school district or accredited nonpublic school shall not be
16 liable for any claim for injuries or damages if an emergency
17 medical care provider or a licensed health care provider who
18 was scheduled in accordance with a prearranged agreement with
19 the school district or accredited nonpublic school to be
20 present and available at a contest is not able to be present
21 and available due to documentable, unforeseen circumstances and
22 the school district or accredited nonpublic school otherwise
23 followed the protocol.

24 Sec. 27. Section 298.3, subsection 1, paragraph j, Code
25 2018, as amended by 2018 Iowa Acts, House File 2253, section 9,
26 is amended to read as follows:

27 *j.* The purchase of buildings or lease-purchase option
28 agreements for school buildings. However, a contract
29 for construction by a private party of property to be
30 lease-purchased by a public school corporation is a contract
31 for a public improvement as defined in section 26.2. If the
32 estimated cost of the property to be lease-purchased that is
33 renovated, repaired, or involves new construction ~~in excess~~
34 ~~of~~ exceeds the competitive bid threshold in section 26.3, the
35 board of directors shall comply with the competitive bidding

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 requirements of section 26.3.

2 Sec. 28. Section 321G.13, subsection 2, paragraph b,
3 subparagraph (2), Code 2018, as amended by 2018 Iowa Acts,
4 Senate File 2231, section 1, is amended to read as follows:

5 (2) A person may operate or ride ~~on~~ a snowmobile with a
6 loaded pistol or revolver, whether concealed or not, if a the
7 person is operating or riding the snowmobile on land that is
8 not owned, possessed, or rented by the person, and the person's
9 conduct is otherwise lawful.

10 Sec. 29. Section 321I.14, subsection 2, paragraph b,
11 subparagraph (2), Code 2018, as amended by 2018 Iowa Acts,
12 Senate File 2231, section 3, is amended to read as follows:

13 (2) A person may operate or ride ~~on all~~ an all-terrain
14 vehicle with a loaded pistol or revolver, whether concealed or
15 not, if a the person is operating or riding the all-terrain
16 vehicle on land that is not owned, possessed, or rented by the
17 person, and the person's conduct is otherwise lawful.

18 Sec. 30. Section 321I.14, subsection 6, as enacted by 2018
19 Iowa Acts, Senate File 2231, section 4, is amended to read as
20 follows:

21 6. As used in this section, "rented by the person" includes
22 a person who does not necessarily rent the land but who
23 principally provides labor for the production of crops located
24 on agricultural land or for the production of livestock
25 principally located on agricultural land. The person must
26 personally provide such labor on a regular, continuous, and
27 substantial basis.

28 Sec. 31. Section 364.4, subsection 4, paragraph i, Code
29 2018, as amended by 2018 Iowa Acts, House File 2253, section
30 11, is amended to read as follows:

31 *i.* A contract for construction by a private party of
32 property to be lease-purchased by a city is a contract for a
33 public improvement under [section 26.2, subsection 3](#). If the
34 estimated cost of the property to be lease-purchased that is
35 renovated, repaired, or involves new construction exceeds the

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 competitive bid threshold set in section 26.3, the city shall
2 comply with the competitive bidding requirements of section
3 26.3.

4 Sec. 32. Section 633.42, subsection 1, Code 2018, as amended
5 by 2018 Iowa Acts, Senate File 2098, section 3, is amended to
6 read as follows:

7 1. At any time after the issuance of letters of appointment,
8 any interested person in the proceeding may file with the
9 clerk a written request for notice of the time and place of
10 all hearings in such proceeding for which notice is required
11 by law, by rule of court, or by an order in such proceeding.
12 The request for notice shall state the name of the requester,
13 the name of the requester's attorney, if any, and the reason
14 the requester is an interested person in the proceeding. The
15 request for notice shall provide the requester's post office
16 address, and, if available, the requester's electronic mail
17 address and telephone number. The request for notice shall
18 also provide the requester's attorney's post office address,
19 electronic mail address, and telephone number. The clerk shall
20 docket the request. Thereafter, unless otherwise ordered by
21 the court, the fiduciary shall serve by ordinary or electronic
22 mail a notice of each hearing upon such requester and the
23 requester's attorney, if any.

24 Sec. 33. Section 633.418, Code 2018, as amended by 2018
25 Iowa Acts, Senate File 2098, section 6, is amended to read as
26 follows:

27 **633.418 Form and verification of claims — general**
28 **requirements.**

29 No claim shall be allowed against an estate on application
30 of the claimant unless it shall be in writing, filed with
31 the clerk, stating the claimant's name, and address, and,
32 if available, telephone number and electronic mail address,
33 describing the nature and the amount thereof, if ascertainable,
34 and accompanied by the affidavit of the claimant, or someone
35 for the claimant, that the amount is justly due, or if not yet

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 due, when it will or may become due, that no payments have been
2 made thereon which are not credited, and that there are no
3 offsets to the same, to the knowledge of the affiant, except as
4 therein stated. If the claim is contingent, the nature of the
5 contingency shall also be stated.

6 Sec. 34. Section 651.29, subsection 5, paragraphs b and c,
7 as enacted by 2018 Iowa Acts, Senate File 2175, section 29, are
8 amended to read as follows:

9 b. If none of the cotenants ~~has~~ have paid the entire price
10 for the remaining interest in the heirs property, the court
11 shall resolve the partition action under section 651.30 as if
12 the interest of the cotenant that had requested partition by
13 sale of the heirs property has not been purchased.

14 c. If more than one cotenant ~~have~~ has paid the entire price
15 for the remaining interest in the heirs property, the court
16 shall reapportion the remaining interest among such cotenants
17 based on each cotenant's original fractional ownership of the
18 entire heirs property divided by the total original fractional
19 ownership of all cotenants that paid the entire price for
20 the remaining interest. The court shall promptly issue an
21 order reallocating all cotenants' interests, disburse the
22 amounts held by the court to the persons entitled to such
23 disbursements, and promptly refund any excess payments held by
24 the court to the appropriate persons.

25 Sec. 35. Section 655.6, subsection 1, as enacted by 2018
26 Iowa Acts, House File 2232, section 5, is amended to read as
27 follows:

28 1. The mortgagee established reasonable procedures to
29 achieve compliance with its obligations under section 655.3.

30 Sec. 36. Section 716.11, subsection 1, paragraph b, as
31 enacted by 2018 Iowa Acts, Senate File 2235, section 1, is
32 amended to read as follows:

33 b. A gas, oil, petroleum, refined petroleum product,
34 renewable fuel, or chemical critical generation, storage,
35 transportation, or delivery system.

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 Sec. 37. 2018 Iowa Acts, Senate File 2117, section 1,
2 paragraphs p and s, are amended to read as follows:

3 p. Department of economic <u>Economic development authority</u>	
4	\$ 157,960
5 s. <u>College student aid commission</u>	
6	\$ 94,172

7 Sec. 38. 2018 Iowa Acts, House File 2442, section 4, is
8 amended to read as follows:

9 SEC. 4. STATE MANDATE FUNDING SPECIFIED. In accordance
10 with section 25B.2, subsection 3, the state cost of requiring
11 compliance with any state mandate included in ~~this division~~
12 of this Act shall be paid by a school district from state
13 school foundation aid received by the school district under
14 section 257.16. This specification of the payment of the state
15 cost shall be deemed to meet all of the state funding-related
16 requirements of section 25B.2, subsection 3, and no additional
17 state funding shall be necessary for the full implementation of
18 this Act by and enforcement of this Act against all affected
19 school districts.

20 Sec. 39. REPEAL. 2018 Iowa Acts, House File 2348, section
21 9, is repealed.

22 Sec. 40. REPEAL. 2018 Iowa Acts, House File 2457, sections
23 115 and 116 are repealed.

24 Sec. 41. EFFECTIVE DATE. The following, being deemed of
25 immediate importance, takes effect upon enactment:

26 The section of this division of this Act amending 2018 Iowa
27 Acts, Senate File 2117, section 1, paragraphs "p" and "s".

28 Sec. 42. RETROACTIVE APPLICABILITY. The following applies
29 retroactively to March 28, 2018:

30 The section of this division of this Act amending 2018 Iowa
31 Acts, Senate File 2117, section 1, paragraphs "p" and "s".

32 Sec. 43. APPLICABILITY. The following apply July 1, 2018,
33 to probate filings made on or after that date:

34 1. The section of this division of this Act amending section
35 633.42.

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 2. The section of this division of this Act amending section
2 633.418.

3 DIVISION IV

4 LAND ACQUISITION AND INVENTORY

5 Sec. 44. LAND ACQUISITION AND INVENTORY.

6 1. By December 1, 2018, the department of natural resources
7 shall submit a report to the general assembly including all
8 financial assistance provided to private entities for the
9 acquisition of land and an inventory of all land managed or
10 owned on behalf of the state by the department.

11 2. The portion of the report regarding financial assistance
12 to private entities for land acquisition shall include the
13 name of the private entities, a description of the assistance
14 provided, the price of the tract, the date the assistance
15 was provided, the date of full loan repayment or cessation
16 of the linked deposit account, and the total amount of
17 outstanding loans and linked deposits associated with such land
18 acquisitions. This portion of the report shall also include
19 information regarding the land purchase including the location
20 and description of the land, a description of the conservation
21 benefits of the purchase, the name of the seller, the price
22 paid, and the size of the tract. If the land was later
23 acquired by a governmental entity, the report shall include the
24 name of the governmental entity, the date of the subsequent
25 acquisition, the price paid, and the source of the funds.

26 3. The portion of the report regarding the land inventory
27 shall include a list of all properties owned by the state whose
28 purchase or donation was facilitated by the department and a
29 list of properties which are managed by the department, but
30 not owned by the state. For each owned tract of land, the
31 inventory shall include the location of the tract, the date
32 of acquisition or first management agreement, the name of the
33 seller or donor of the tract, the price paid for state-owned
34 land and the source of the funds; the owner of the tract if not
35 owned by the state, the size of the tract, the present use of

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 the tract including whether the property is open to the public,
2 and the identification of the government entity charged with
3 managing the tract. The inventory shall also identify the
4 location and size of all tracts which were conveyed to cities
5 or counties within the past twenty years after termination of
6 state ownership.

7 4. For the fiscal year beginning July 1, 2018, the
8 environmental protection commission shall not authorize a
9 contract or approve costs related to the purchase of land
10 which obligates moneys from the water pollution control works
11 revolving loan fund for financial assistance to acquire new
12 land under the general nonpoint source program set-aside.

13 DIVISION V

14 IOWA GEOLOGICAL SURVEY

15 Sec. 45. 2018 Iowa Acts, House File 2491, section 21, if
16 enacted, is amended to read as follows:

17 SEC. 53A. STATE UNIVERSITY OF IOWA ~~GEOGRAPHICAL AND WATER~~
18 GEOLOGICAL SURVEY. There is appropriated from the environment
19 first fund created in [section 8.57A](#) to the state university of
20 Iowa for the fiscal year beginning July 1, 2018, and ending
21 June 30, 2019, the following amounts, or so much thereof as is
22 necessary, to be used for the purposes designated:

23 1. OPERATIONS

24 For purposes of supporting the operations of the Iowa
25 ~~geological and water~~ survey ~~of the state~~ as created within the
26 state university of Iowa pursuant to section 456.1 as amended
27 by 2018 Iowa Acts, House File 2303, section 12, including
28 but not limited to providing analysis; data maintenance,
29 collection, and compilation; investigative programs; and
30 information for water supply development and protection:

31 \$ 200,000

32 2. WATER RESOURCE MANAGEMENT

33 For purposes of supporting the Iowa ~~geological and water~~
34 survey in measuring, assessing, and evaluating the quantity
35 of water sources in this state and assisting the department

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 of natural resources in regulating water quantity as provided
2 in chapter 455B, division III, part 4, pursuant to sections
3 455B.262B and 456.14, as enacted by this Act:
4 \$ 495,000

5 DIVISION VI
6 PODIATRY

7 Sec. 46. Section 147.139, subsections 3 and 4, Code 2018,
8 are amended to read as follows:

9 3. If the defendant is board-certified in a specialty, the
10 person is certified in the same or a substantially similar
11 specialty by a board recognized by the American board of
12 medical specialties, ~~or~~ the American osteopathic association,
13 or the council on podiatric medical education.

14 4. a. If the defendant is a licensed physician or
15 osteopathic physician under chapter 148, the person is a
16 physician or osteopathic physician licensed in this state or
17 another state.

18 b. If the defendant is a licensed podiatric physician under
19 chapter 149, the person is a physician, osteopathic physician,
20 or a podiatric physician licensed in this state or another
21 state.

22 DIVISION VII
23 CATTLE GUARDS

24 Sec. 47. Section 314.30, subsection 1, paragraph c, as
25 enacted by 2018 Iowa Acts, Senate File 449, section 1, is
26 amended to read as follows:

27 c. The landowner owns ~~the~~ property on both sides of the
28 street or highway and owns property on both sides of any access
29 to the street or highway.

30 Sec. 48. 2018 Iowa Acts, Senate File 449, is amended by
31 adding the following new section:

32 NEW SECTION. SEC. 4. INSTALLATION OF CATTLE GUARD —
33 SUBSEQUENT COUNTY ACTION. Any cattle guard installed pursuant
34 to this Act on or before April 25, 2018, that meets the
35 requirements of this Act at the time of installation shall not

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 be ordered uninstalled or found to be noncompliant with this
2 Act as a result of any action taken after April 25, 2018, by
3 the county with jurisdiction over the street or highway on
4 which the cattle guard is installed to alter the area service
5 classification of the street or highway or to otherwise alter
6 the street or highway in such a way that the installation of
7 the cattle guard no longer complies with this Act.

8 Sec. 49. EFFECTIVE DATE. This division of this Act, being
9 deemed of immediate importance, takes effect upon enactment.

10 Sec. 50. RETROACTIVE APPLICABILITY. This division of this
11 Act applies retroactively to April 17, 2018.

12 DIVISION VIII

13 DRAMSHOP

14 Sec. 51. Section 123.92, subsection 1, paragraph a, Code
15 2018, as amended by 2018 Iowa Acts, Senate File 2169, section
16 1, is amended to read as follows:

17 a. Any Subject to the limitation amount specified in
18 paragraph "c", if applicable, any third party who is not the
19 intoxicated person who caused the injury at issue and who
20 is injured in person or property or means of support by an
21 intoxicated person or resulting from the intoxication of a
22 person, has a right of action for damages actually sustained,
23 severally or jointly, ~~up to the amount specified in paragraph~~
24 ~~"e",~~ against any licensee or permittee, whether or not the
25 license or permit was issued by the division or by the
26 licensing authority of any other state, who sold and served any
27 beer, wine, or intoxicating liquor directly to the intoxicated
28 person, provided that the person was visibly intoxicated at the
29 time of the sale or service.

30 Sec. 52. NEW SECTION. 505.33 **Dramshop liability insurance**
31 **evaluation.**

32 The division shall biennially conduct an evaluation
33 concerning minimum coverage requirements of dramshop liability
34 insurance. In conducting the evaluation, the division
35 shall include a comparison of other states' minimum dramshop

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 liability insurance coverage and any other relevant issues
2 the division identifies. By January 31, 2019, and every two
3 years thereafter, the division shall submit a report, including
4 any findings and recommendations, to the general assembly as
5 provided in chapter 7A.

6 Sec. 53. REPEAL. 2018 Iowa Acts, Senate File 2169, section
7 2, is repealed.

8 DIVISION IX

9 ALCOHOL

10 Sec. 54. Section 123.30, subsection 3, paragraphs a and
11 b, Code 2018, as amended by 2018 Iowa Acts, Senate File 2310,
12 section 12, are amended to read as follows:

13 *a. Class "A".* A class "A" liquor control license may be
14 issued to a club and shall authorize the holder to purchase
15 alcoholic liquors in original unopened containers from class
16 "E" liquor control licensees only, wine from class "A" wine
17 permittees or class "B" wine permittees who also hold class "E"
18 liquor control licenses only as provided in [section 123.173](#)
19 and [section 123.177](#), and to sell alcoholic beverages to bona
20 fide members and their guests by the individual drink for
21 consumption on the premises only.

22 *b. Class "B".* A class "B" liquor control license may be
23 issued to a hotel or motel and shall authorize the holder to
24 purchase alcoholic liquors in original unopened containers from
25 class "E" liquor control licensees only, wine from class "A"
26 wine permittees or class "B" wine permittees who also hold
27 class "E" liquor control licenses only as provided in section
28 123.173 and [section 123.177](#), and to sell alcoholic beverages to
29 patrons by the individual drink for consumption on the premises
30 only. However, beer may also be sold for consumption off the
31 premises. Each license shall be effective throughout the
32 premises described in the application.

33 Sec. 55. Section 123.30, subsection 3, paragraph c,
34 subparagraph (1), Code 2018, as amended by 2018 Iowa Acts,
35 Senate File 2310, section 12, is amended to read as follows:

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 (1) A class "C" liquor control license may be issued to
2 a commercial establishment but must be issued in the name of
3 the individuals who actually own the entire business and shall
4 authorize the holder to purchase alcoholic liquors in original
5 unopened containers from class "E" liquor control licensees
6 only, wine from class "A" wine permittees or class "B" wine
7 permittees who also hold class "E" liquor control licenses only
8 as provided in [section 123.173](#) and [section 123.177](#), and to sell
9 alcoholic beverages to patrons by the individual drink for
10 consumption on the premises only. However, beer may also be
11 sold for consumption off the premises. The holder of a class
12 "C" liquor control license may also hold a special class "A"
13 beer permit for the premises licensed under a class "C" liquor
14 control license for the purpose of operating a brewpub pursuant
15 to [this chapter](#).

16 Sec. 56. Section 123.30, subsection 3, paragraph c,
17 subparagraph (3), Code 2018, is amended to read as follows:

18 (3) A class "C" native distilled spirits liquor control
19 license may be issued to a native distillery but shall be
20 issued in the name of the individuals who actually own the
21 business and shall only be issued to a native distillery
22 which, combining all production facilities of the business,
23 produces and manufactures not more than one hundred thousand
24 proof gallons of distilled spirits on an annual basis. The
25 license shall authorize the holder to sell native distilled
26 spirits manufactured on the premises of the native distillery
27 to patrons by the individual drink for consumption on the
28 premises. All native distilled spirits sold by a native
29 distillery for on-premises consumption shall be purchased
30 from a class "E" liquor control licensee in original unopened
31 containers.

32 Sec. 57. Section 123.30, subsection 3, paragraph d,
33 subparagraph (2), Code 2018, as amended by 2018 Iowa Acts,
34 Senate File 2310, section 12, is amended to read as follows:

35 (2) A class "D" liquor control licensee who operates a

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 train or a watercraft intrastate only, or an excursion gambling
2 boat licensed under [chapter 99F](#), shall purchase alcoholic
3 liquor in original unopened containers from a class "E" liquor
4 control licensee only, wine from a class "A" wine permittee or
5 a class "B" wine permittee who also holds a class "E" liquor
6 control license only as provided in [section 123.173](#) and section
7 123.177, and beer from a class "A" beer permittee only.

8 Sec. 58. Section 123.30, subsection 3, paragraph e, Code
9 2018, as amended by 2018 Iowa Acts, Senate File 2310, section
10 12, is amended to read as follows:

11 *e. Class "E".*

12 (1) A class "E" liquor control license may be issued and
13 shall authorize the holder to purchase alcoholic liquor in
14 original unopened containers from the division only and high
15 alcoholic content beer from a class "A" beer permittee only and
16 to sell the alcoholic liquor in original unopened containers
17 and high alcoholic content beer at retail to patrons for
18 consumption off the licensed premises and at wholesale to other
19 liquor control licensees, provided the holder has filed with
20 the division a basic permit issued by the alcohol and tobacco
21 tax and trade bureau of the United States department of the
22 treasury. A holder of a class "E" liquor control license
23 may hold other retail liquor control licenses or retail wine
24 or beer permits, but the premises licensed under a class "E"
25 liquor control license shall be separate from other licensed
26 premises, though the separate premises may have a common
27 entrance. However, the holder of a class "E" liquor control
28 license may also hold a class "B" wine or class "C" beer permit
29 or both for the premises licensed under a class "E" liquor
30 control license.

31 (2) The division may issue a class "E" liquor control
32 license for premises covered by a liquor control license or
33 wine or beer permit for on-premises consumption, if under any
34 of the following circumstances:

35 (a) If the premises are in a county having a population

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 under nine thousand five hundred in which no other class "E"
2 liquor control license has been issued by the division, and no
3 other application for a class "E" liquor control license has
4 been made within the previous twelve consecutive months.

5 (b) If, notwithstanding any provision of this chapter to the
6 contrary, the premises covered by a liquor control license is a
7 grocery store that is at least five thousand square feet.

8 Sec. 59. Section 123.30, subsection 4, Code 2018, is amended
9 to read as follows:

10 4. Notwithstanding any provision of **this chapter** to the
11 contrary, a person holding a liquor control license to sell
12 alcoholic beverages for consumption on the licensed premises
13 may permit a customer to remove one unsealed bottle of wine
14 for consumption off the premises if the customer has purchased
15 and consumed a portion of the bottle of wine on the licensed
16 premises. The licensee or the licensee's agent shall securely
17 reseal such bottle in a bag designed so that it is visibly
18 apparent that the resealed bottle of wine has not been tampered
19 with and provide a dated receipt for the resealed bottle of
20 wine to the customer. A wine bottle resealed pursuant to the
21 requirements of **this subsection** is subject to the requirements
22 of **sections 321.284 and 321.284A**. A person holding a liquor
23 control license to sell alcoholic beverages for consumption on
24 the licensed premises may permit a customer to carry an open
25 container of wine from their licensed premises into another
26 immediately adjacent licensed premises, temporary closed public
27 right-of-way, or private property.

28 Sec. 60. Section 123.30, Code 2018, is amended by adding the
29 following new subsection:

30 NEW SUBSECTION. 5. Notwithstanding any provision of this
31 chapter to the contrary, a person holding a liquor control
32 license to sell alcoholic beverages for consumption on the
33 licensed premises may permit a customer to carry an open
34 container of alcoholic liquor from their licensed premises
35 to another immediately adjacent licensed premises, temporary

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 closed public right-of-way, or private property.

2 Sec. 61. Section 123.131, subsection 2, unnumbered
3 paragraph 1, Code 2018, is amended to read as follows:

4 Subject to the rules of the division, sales of beer for
5 consumption off the premises made pursuant to **this section**
6 may be made in a container other than the original container
7 only if the container is carried into an immediately adjacent
8 licensed or permitted premises, temporary closed public
9 right-of-way, or private property, or if all of the following
10 requirements are met:

11 DIVISION X

12 SEXUALLY VIOLENT PREDATORS

13 Sec. 62. Section 229A.8, subsection 5, paragraph e,
14 subparagraph (2), Code 2018, is amended to read as follows:

15 (2) (a) If the committed person shows by a preponderance
16 of the evidence that a final hearing should be held on either
17 determination under subparagraph (1), subparagraph division (a)
18 or (b), or both, the court shall set a final hearing within
19 sixty days of the determination that a final hearing be held.

20 (b) The committed person may waive the sixty-day final
21 hearing requirement under subparagraph subdivision (a);
22 however, the committed person or the attorney for the committed
23 person may reassert a demand that the final hearing be held
24 within sixty days from the date of filing the demand with the
25 clerk of court.

26 (c) The final hearing may be continued upon request of
27 either party and a showing of good cause, or by the court
28 on its own motion in the due administration of justice, and
29 if the committed person is not substantially prejudiced. In
30 determining what constitutes good cause, the court shall
31 consider the length of the pretrial detention of the committed
32 person.

33 Sec. 63. Section 229A.15, Code 2018, is amended to read as
34 follows:

35 **229A.15 Court records — sealed and opened by court order.**

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 of any or all earned time accrued and not forfeited up to
2 the date the action or appeal is dismissed, unless the court
3 entered such an order under [section 610A.3](#). The independent
4 administrative law judge has discretion within the guidelines
5 established pursuant to [section 903A.4](#), to determine the amount
6 of time that should be forfeited based upon the severity of the
7 violation. Prior violations by the inmate may be considered by
8 the administrative law judge in the decision.

9

DIVISION XII

10

MULTIPLE EMPLOYER WELFARE ARRANGEMENTS

11

Sec. 67. Section 507A.4, subsection 9, paragraph c,

12

unnumbered paragraph 1, Code 2018, is amended to read as

13

follows:

14

A multiple employer welfare arrangement that is recognized

15

as tax-exempt under Internal Revenue Code section 501(c)(9)

16

that meets all of the conditions of paragraph "a" shall not be

17

considered any of the following:

18

Sec. 68. Section 513D.1, as enacted by 2018 Iowa Acts,

19

Senate File 2349, section 5, is amended to read as follows:

20

513D.1 Association health plans.

21

The commissioner shall adopt rules that allow for the

22

creation of association health plans that are consistent with

23

the United States department of labor's regulations in 29

24

C.F.R. pt. 2510. A multiple employer welfare arrangement that

25

is recognized as tax-exempt under Internal Revenue Code section

26

501(c)(9) and that is registered with the commissioner prior

27

to January 1, 2018, shall not be considered an association

28

health plan unless the multiple employer welfare arrangement

29

affirmatively elects to be treated as an association health

30

plan.

31

Sec. 69. REPEAL. 2018 Iowa Acts, Senate File 2349, section

32

7, is repealed.

33

DIVISION XIII

34

SELF-PROMOTION — PUBLIC FUNDS

35

Sec. 70. NEW SECTION. **68A.405A Self-promotion with taxpayer**

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 funds prohibited.

2 1. a. Except as provided in sections 29C.3 and 29C.6, a
3 statewide elected official or member of the general assembly
4 shall not permit the expenditure of public moneys under the
5 control of the statewide elected official or member of the
6 general assembly, including but not limited to moneys held in a
7 private trust fund as defined by section 8.2, for the purpose
8 of any paid advertisement or promotion bearing the written
9 name, likeness, or voice of the statewide elected official or
10 member of the general assembly distributed through any of the
11 following means:

12 (1) A paid direct mass mailing.

13 (2) A paid radio advertisement or promotion.

14 (3) A paid newspaper advertisement or promotion.

15 (4) A paid television advertisement or promotion.

16 (5) A paid internet advertisement or promotion.

17 (6) A paid exhibit display at the Iowa state fair or a
18 fairground or grounds as defined in section 174.1.

19 b. Except as otherwise provided by law, paragraph "a"
20 shall not apply to bona fide ministerial or ceremonial records
21 or ordinary, common, and frequent constituent correspondence
22 containing the name of the statewide elected official or member
23 of the general assembly.

24 2. A person who willfully violates this section shall be
25 subject to a civil penalty of an amount up to the amount of
26 moneys withdrawn from a public account or private trust fund
27 as defined in section 8.2 used to fund the communication found
28 to be in violation of this section by the board or, for members
29 of the general assembly, by an appropriate legislative ethics
30 committee. A penalty imposed pursuant to this section shall
31 be paid by the candidate's committee. Such penalty shall be
32 determined and assessed by the board or, for a member of the
33 general assembly, the appropriate legislative ethics committee,
34 and paid into the account from which such moneys were
35 withdrawn. Additional criminal or civil penalties available

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 under section 68A.701 or established by the board pursuant to
2 section 68B.32A may also be determined and assessed by the
3 board for violations of this section. Nothing in this section
4 shall prevent the imposition of any penalty or sanction for a
5 violation of this section by a legislative ethics committee.

6 DIVISION XIV

7 LEASE-PURCHASE CONTRACTS

8 Sec. 71. 2018 Iowa Acts, House File 2253, section 13, is
9 amended to read as follows:

10 SEC. 13. APPLICABILITY. This Act applies to lease-purchase
11 contracts entered into on or after the effective date of this
12 Act. This Act does not apply to any lease-purchase contract
13 that results from a request for proposals or request for
14 qualifications issued by a city with a population of less
15 than 21,000 according to the 2016 special census prior to the
16 effective date of this Act.

17 Sec. 72. RETROACTIVE APPLICABILITY. The following applies
18 retroactively to April 4, 2018:

19 The section of this division of this Act amending 2018 Iowa
20 Acts, House File 2253, section 13.

21 DIVISION XV

22 CONSTRUCTION VEHICLES

23 Sec. 73. Section 321.463, subsection 9, Code 2018, is
24 amended to read as follows:

25 9. A vehicle or combination of vehicles transporting
26 materials or equipment on nonprimary highways to or from a
27 construction project or commercial plant site may operate
28 under the maximum gross weight table for primary highways in
29 subsection 6, paragraph "a", ~~if the route is approved by the~~
30 ~~appropriate local authority. Route approval is not required if~~
31 ~~the vehicle or combination of vehicles transporting materials~~
32 ~~or equipment to or from a construction project or commercial~~
33 ~~plant site complies with~~ or the maximum gross weight table for
34 noninterstate highways in **subsection 6**, paragraph "c". When
35 crossing a bridge, such a vehicle or combination of vehicles

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 shall comply with any weight restriction imposed for the
2 bridge pursuant to section 321.471 or 321.474, provided signs
3 that conform to the manual of uniform traffic-control devices
4 adopted by the department that give notice of the restriction
5 are posted as required under section 321.472 or 321.474, as
6 applicable.

7 DIVISION XVI

8 LOCAL ORDINANCES

9 Sec. 74. Section 331.301, subsection 6, paragraph c,
10 subparagraph (1), unnumbered paragraph 1, Code 2018, is amended
11 to read as follows:

12 A county shall not adopt an ordinance, motion, resolution,
13 or amendment that sets standards or requirements regarding the
14 sale or marketing of consumer merchandise that are different
15 from, or in addition to, any ~~requirement established by~~ state
16 law. For purposes of this paragraph:

17 Sec. 75. Section 364.3, subsection 3, paragraph c,
18 subparagraph (1), unnumbered paragraph 1, Code 2018, is amended
19 to read as follows:

20 A city shall not adopt an ordinance, motion, resolution, or
21 amendment that sets standards or requirements regarding the
22 sale or marketing of consumer merchandise that are different
23 from, or in addition to, any ~~requirement established by~~ state
24 law. For purposes of this paragraph:

25 DIVISION XVII

26 HEALTH CARE COVERAGE — SURVIVING SPOUSE AND CHILDREN

27 Sec. 76. NEW SECTION. 509A.13C Health care coverage for
28 surviving spouse and children of fire fighters and peace officers
29 killed in the line of duty.

30 1. For the purposes of this section, "*eligible peace officer*
31 *or fire fighter*" means a peace officer as defined in section
32 801.4, or a fire fighter, to which a line of duty death benefit
33 is payable pursuant to section 97A.6, subsection 16, section
34 97B.52, subsection 2, or section 411.6, subsection 15.

35 2. a. If a governing body, a county board of supervisors,

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 or a city council has procured accident or health care coverage
2 for its employees under this chapter, such coverage shall
3 permit continuation of existing coverage or reenrollment in
4 previously existing coverage for the surviving spouse and each
5 surviving child of an eligible peace officer or fire fighter.

6 *b.* A governing body, a county board of supervisors, or
7 a city council shall also permit continuation of existing
8 coverage for the surviving spouse and each surviving child
9 of a peace officer as defined in section 801.4, or a fire
10 fighter who dies and to which a line of duty death benefit is
11 reasonably expected to be payable pursuant to section 97A.6,
12 subsection 16, section 97B.52, subsection 2, or section 411.6,
13 subsection 15, until such time as the determination of whether
14 to provide a line of duty death benefit is made.

15 3. A governing body, a county board of supervisors, or
16 a city council providing accident or health care coverage
17 under this section shall not be required to pay for the cost
18 of the coverage. However, a governing body, a county board
19 of supervisors, or a city council may pay the full cost or a
20 portion of the cost of the coverage. If the full cost of the
21 coverage is not paid, a surviving spouse and each surviving
22 child eligible for coverage under this section may elect to
23 continue accident or health care coverage by paying that
24 portion of the cost of the coverage not paid by the governing
25 body, county board of supervisors, or city council.

26 4. A governing body, a county board of supervisors, or a
27 city council shall notify the provider of accident or health
28 care coverage for its employees of a surviving spouse and
29 each surviving child to be provided coverage pursuant to the
30 requirements of this section.

31 5. This section shall not require continuation of coverage
32 if the surviving spouse or surviving child who would otherwise
33 be entitled to continuation of coverage under this section was,
34 through the surviving spouse's or surviving child's actions, a
35 substantial contributing factor to the death of the eligible

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 peace officer or fire fighter.

2 Sec. 77. APPLICABILITY — HEALTH CARE COVERAGE FOR PRIOR
3 DEATHS. The surviving spouse and each surviving child of a
4 peace officer as defined in section 801.4, or a fire fighter
5 who died on or after January 1, 1985, but before July 1, 2000,
6 to which the requirements for providing a line of duty death
7 pursuant to section 97A.6, subsection 16, section 97B.52,
8 subsection 2, or section 411.6, subsection 15, would otherwise
9 have been established, and the surviving spouse and each
10 surviving child of an eligible peace officer or fire fighter
11 as defined in section 509A.13C, as enacted in this Act, may
12 be entitled to coverage as provided in section 509A.13C upon
13 written notification of the applicable governing body, county
14 board of supervisors, or city council. Coverage provided under
15 section 509A.13C pursuant to this section shall be for claims
16 for services incurred on or after the date of reenrollment.

17 Sec. 78. EFFECTIVE DATE. This division of this Act, being
18 deemed of immediate importance, takes effect upon enactment.

19 Sec. 79. RETROACTIVE APPLICABILITY. This division of this
20 Act applies retroactively to a death occurring on or after
21 January 1, 1985.

22 DIVISION XVIII

23 SCHOLARSHIPS FOR SURVIVING CHILDREN OF CERTAIN PERSONS KILLED
24 IN THE LINE OF DUTY

25 Sec. 80. Section 261.87, subsection 1, Code 2018, is amended
26 by adding the following new paragraph:

27 NEW PARAGRAPH. *od.* "Eligible surviving-child student" means
28 a qualified student who is under the age of twenty-six, or
29 under the age of thirty if the student is a veteran who is
30 eligible for benefits, or has exhausted the benefits, under the
31 federal Post-9/11 Veterans Educational Assistance Act of 2008;
32 who is not a convicted felon as defined in section 910.15; and
33 who meets any of the following criteria:

34 (1) Is the child of a peace officer, as defined in section
35 97A.1, who was killed in the line of duty as determined by

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 the board of trustees of the Iowa department of public safety
2 peace officers' retirement, accident, and disability system in
3 accordance with section 97A.6, subsection 16.

4 (2) Is the child of a police officer or a fire fighter, as
5 each is defined in section 411.1, who was killed in the line of
6 duty as determined by the statewide fire and police retirement
7 system in accordance with section 411.6, subsection 15.

8 (3) Is the child of a sheriff or deputy sheriff as each is
9 defined in section 97B.49C, who was killed in the line of duty
10 as determined by the Iowa public employees' retirement system
11 in accordance with section 97B.52, subsection 2.

12 (4) Is the child of a fire fighter or police officer
13 included under section 97B.49B, who was killed in the line of
14 duty as determined by the Iowa public employees' retirement
15 system in accordance with section 97B.52, subsection 2.

16 Sec. 81. Section 261.87, subsection 3, Code 2018, is amended
17 to read as follows:

18 3. *Priority for scholarship awards.* Priority for
19 scholarships under [this section](#) shall be given to eligible
20 foster care students, then to eligible surviving-child
21 students, who meet the eligibility criteria under subsection
22 2. Following distribution to students who meet the eligibility
23 criteria under [subsection 2](#), the commission may establish
24 priority for awarding scholarships using any moneys that remain
25 in the all Iowa opportunity scholarship fund.

26 DIVISION XIX

27 CREDIT UNIONS

28 Sec. 82. Section 533.212, Code 2018, is amended by adding
29 the following new subsection:

30 NEW SUBSECTION. 4. A credit union organized in accordance
31 with this chapter shall not include the name of any public
32 university located in the state in its name. For purposes of
33 this subsection, "*public university located in the state*" shall
34 mean the state university of Iowa, the Iowa state university of
35 science and technology, and the university of northern Iowa.

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 Sec. 83. Section 533.329, subsection 2, paragraph b, Code
2 2018, is amended to read as follows:

3 ~~b. The amount collected in each taxing district within~~
4 ~~a city~~ The moneys and credits tax shall be collected by the
5 department of revenue and shall be apportioned twenty percent
6 to the county, thirty percent to the city general fund, and
7 fifty percent to the general fund of the state, and the amount
8 collected in each taxing district outside of cities shall be
9 apportioned fifty percent to the county and fifty percent to
10 the general fund of the state.

11 Sec. 84. Section 533.329, subsection 2, paragraph c, Code
12 2018, is amended by striking the paragraph.

13 Sec. 85. Section 533.329, Code 2018, is amended by adding
14 the following new subsection:

15 NEW SUBSECTION. 3. The department of revenue shall
16 administer and enforce the provisions of this section.

17 Sec. 86. EFFECTIVE DATE. The following takes effect April
18 30, 2019:

19 The section of this division of this Act amending section
20 533.212.

21 DIVISION XX

22 MILITARY INSTALLATION — SCHOOL ENROLLMENT

23 Sec. 87. Section 257.6, subsection 1, paragraph a, Code
24 2018, is amended by adding the following new subparagraph:

25 NEW SUBPARAGRAPH. (8) Pupils who are enrolled in public
26 schools within the district under section 282.1, subsection
27 3, in grades kindergarten through twelve and including
28 prekindergarten pupils enrolled in special education programs.

29 Sec. 88. Section 282.1, subsection 2, Code 2018, is amended
30 to read as follows:

31 2. For purposes of this section, “resident” means a child
32 who ~~is~~ meets either of the following requirements:

33 a. Is physically present in a district, whose residence has
34 not been established in another district by operation of law,
35 and who meets any of the following conditions:

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 ~~a-~~ (1) Is in the district for the purpose of making a home
2 and not solely for school purposes.

3 ~~b-~~ (2) Meets the definitional requirements of the term
4 "*homeless individual*" under 42 U.S.C. §11302(a) and (c).

5 ~~c-~~ (3) Lives in a juvenile detention center or residential
6 facility in the district.

7 b. Is domiciled with the child's parent or guardian who is
8 on active duty in the military service of the United States and
9 is stationed at and resides or is domiciled within a federal
10 military installation located contiguous to a county in this
11 state.

12 Sec. 89. Section 282.1, Code 2018, is amended by adding the
13 following new subsections:

14 NEW SUBSECTION. 3. The parent or guardian of a child
15 who meets the requirements of subsection 2, paragraph "b",
16 paragraph may enroll the child in a school district in a county
17 in this state that is located contiguous to the out-of-state
18 federal military installation. Notwithstanding section 285.1
19 relating to transportation of resident pupils, the parent or
20 guardian is responsible for transporting the child without
21 reimbursement to and from a point on a regular school bus route
22 of the district of enrollment.

23 NEW SUBSECTION. 4. Notwithstanding section 282.6, if a
24 parent or guardian enrolls a child in a school district in
25 accordance with subsection 3, the school district shall be free
26 of tuition for such child.

27 DIVISION XXI

28 CRIMINALISTICS LABORATORY FUND

29 Sec. 90. Section 691.9, Code 2018, is amended to read as
30 follows:

31 **691.9 Criminalistics laboratory fund.**

32 A criminalistics laboratory fund is created as a separate
33 fund in the state treasury under the control of the department
34 of public safety. The fund shall consist of appropriations
35 made to the fund and transfers of interest, and earnings. All

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 moneys in the fund are appropriated to the department of public
2 safety for use by the department in criminalistics laboratory
3 equipment and supply purchasing, maintenance, depreciation, and
4 training. Any balance in the fund on June 30 of any fiscal
5 year shall not revert to any other fund of the state but shall
6 remain available for the purposes described in this section.

7 DIVISION XXII

8 IOWA ENERGY CENTER

9 Sec. 91. Section 476.10A, subsection 1, paragraph c,
10 subparagraph (1), Code 2018, is amended to read as follows:

11 (1) ~~Eighty-five~~ Of eighty-five percent of the remittances
12 collected pursuant to this section ~~is~~, the following shall
13 occur:

14 (a) For the fiscal year beginning July 1, 2018, such
15 remittances are appropriated to the Iowa energy center created
16 in section 15.120.

17 (b) For the fiscal year beginning July 1, 2019, the first
18 one million two hundred eighty-thousand dollars of such
19 remittances shall be transferred to the general fund of the
20 state, and the remaining amount is appropriated to the Iowa
21 energy center created in section 15.120.

22 (c) For the fiscal year beginning July 1, 2020, the
23 first two million nine hundred ten thousand dollars of such
24 remittances shall be transferred to the general fund of the
25 state, and the remaining amount is appropriated to the Iowa
26 energy center created in section 15.120.

27 (d) For the fiscal year beginning July 1, 2021, the first
28 three million five hundred thirty thousand dollars of such
29 remittances shall be transferred to the general fund of the
30 state, and the remaining amount is appropriated to the Iowa
31 energy center created in section 15.120.

32 DIVISION XXIII

33 TRIBAL IDENTIFICATION CARD

34 Sec. 92. Section 48A.7A, subsection 1, paragraph b,
35 subparagraph (1), Code 2018, is amended by adding the following

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 new subparagraph division:

2 NEW SUBPARAGRAPH DIVISION. (f) A tribal identification
3 card or other tribal enrollment document issued by a federally
4 recognized Indian tribe or nation, if the tribal identification
5 card or other tribal enrollment document is signed before the
6 card or document is presented to the election official.

7 Sec. 93. Section 49.78, subsection 2, paragraph a, Code
8 2018, is amended by adding the following new subparagraph:

9 NEW SUBPARAGRAPH. (5) A current, valid tribal
10 identification card or other tribal enrollment document
11 issued by a federally recognized Indian tribe or nation, which
12 includes a photograph, signature, and valid expiration date.

13 DIVISION XXIV

14 WIND ENERGY CONVERSION PROPERTY

15 Sec. 94. Section 441.21, subsection 5, Code 2018, is amended
16 by adding the following new paragraph:

17 NEW PARAGRAPH. *d.* For valuations established for the
18 assessment year beginning January 1, 2019, and each assessment
19 year thereafter, the percentages of actual value at which
20 property is assessed, as determined under this subsection,
21 shall not be applied to the value of wind energy conversion
22 property valued under section 427B.26 the construction of which
23 is approved by the Iowa utilities board on or after July 1,
24 2018.

25 DIVISION XXV

26 REVOCATION OF DRIVER'S LICENSE FOR DRUG-RELATED CONVICTIONS

27 Sec. 95. Section 124.412, Code 2018, is amended to read as
28 follows:

29 **124.412 Notice of conviction.**

30 If a person enters a plea of guilty to, or forfeits bail
31 or collateral deposited to secure the person's appearance in
32 court, and such forfeiture is not vacated, or if a person
33 is found guilty upon an indictment or information alleging a
34 violation of [this chapter](#), a copy of the minutes attached to
35 the indictment returned by the grand jury, or to the county

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 attorney's information, a copy of the judgment and sentence,
2 and a copy of the opinion of the judge if one is filed, shall
3 be sent by the clerk of the district court or the judge to
4 ~~the state department of transportation and to~~ any state board
5 or officer by whom the convicted person has been licensed or
6 registered to practice the person's profession or carry on
7 the person's business. On the conviction of a person, the
8 court may suspend or revoke the license or registration of the
9 convicted defendant to practice the defendant's profession
10 or carry on the defendant's business. On the application of
11 a person whose license or registration has been suspended or
12 revoked, and upon proper showing and for good cause, the board
13 or officer may reinstate the license or registration.

14 Sec. 96. Section 321.212, subsection 1, paragraph d, Code
15 2018, is amended by striking the paragraph.

16 Sec. 97. Section 321.215, subsection 1, paragraph b, Code
17 2018, is amended to read as follows:

18 *b.* However, a temporary restricted license shall not be
19 issued to a person whose license is revoked pursuant to a court
20 order issued under ~~section 901.5, subsection 10,~~ or under
21 section 321.209, subsections 1 through 5 or subsection 7; to a
22 juvenile whose license has been suspended or revoked pursuant
23 to a dispositional order under section 232.52, subsection
24 2, paragraph "a", for a violation of [chapter 124](#) or [453B](#) or
25 section 126.3; to a juvenile whose license has been suspended
26 under [section 321.213B](#); or to a person whose license has been
27 suspended pursuant to a court order under [section 714.7D](#). A
28 temporary restricted license may be issued to a person whose
29 license is revoked under [section 321.209, subsection 6](#), only
30 if the person has no previous drag racing convictions. A
31 person holding a temporary restricted license issued by the
32 department under [this section](#) shall not operate a motor vehicle
33 for pleasure.

34 Sec. 98. Section 321.215, subsection 2, unnumbered
35 paragraph 1, Code 2018, is amended to read as follows:

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 Upon conviction and the suspension or revocation of a
2 person's noncommercial driver's license under section 321.209,
3 subsection 5 or 6, or [section 321.210](#), [321.210A](#), or [321.513](#);
4 ~~or upon revocation pursuant to a court order issued under~~
5 ~~[section 901.5, subsection 10](#)~~; or upon the denial of issuance
6 of a noncommercial driver's license under [section 321.560](#),
7 based solely on offenses enumerated in section 321.555,
8 subsection 1, paragraph "c", or section 321.555, subsection
9 2; or upon suspension or revocation of a juvenile's driver's
10 license pursuant to a dispositional order under section 232.52,
11 subsection 2, paragraph "a", for a violation of [chapter 124](#)
12 or [453B](#), or [section 126.3](#); or upon suspension of a driver's
13 license pursuant to a court order under [section 714.7D](#), the
14 person may apply to the department for a temporary restricted
15 license to operate a motor vehicle for the limited purpose or
16 purposes specified in [subsection 1](#). The application may be
17 granted only if all of the following criteria are satisfied:

18 Sec. 99. Section 321.215, subsection 2, paragraph c, Code
19 2018, is amended to read as follows:

20 c. Proof of financial responsibility is established as
21 defined in [chapter 321A](#). However, such proof is not required
22 if the driver's license was suspended under [section 321.210A](#)
23 or [321.513](#) ~~or revoked pursuant to a court order issued under~~
24 ~~[section 901.5, subsection 10](#)~~.

25 Sec. 100. Section 321.218, subsection 1, Code 2018, is
26 amended to read as follows:

27 1. A person whose driver's license or operating privilege
28 has been denied, canceled, suspended, or revoked as provided
29 in [this chapter](#) or as provided in [section 252J.8](#) ~~or section~~
30 ~~[901.5, subsection 10](#)~~, and who operates a motor vehicle upon
31 the highways of this state while the license or privilege
32 is denied, canceled, suspended, or revoked, commits a
33 simple misdemeanor. In addition to any other penalties, the
34 punishment imposed for a violation of [this subsection](#) shall
35 include assessment of a fine of not less than two hundred fifty

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)

1 dollars nor more than one thousand five hundred dollars.

2 Sec. 101. Section 321A.17, subsection 4, Code 2018, is
3 amended to read as follows:

4 4. An individual applying for a driver's license following a
5 period of suspension or revocation pursuant to a dispositional
6 order issued under [section 232.52, subsection 2](#), paragraph
7 "a", or under [section 321.180B](#), section 321.210, subsection
8 1, paragraph "a", subparagraph (4), or [section 321.210A](#),
9 [321.213A](#), [321.213B](#), [321.216B](#), or [321.513](#), following a period
10 of suspension or revocation under [section 321.178](#) or [321.194](#),
11 or following a period of revocation pursuant to a court order
12 issued under ~~[section 901.5, subsection 10](#)~~, or under section
13 [321J.2A](#), is not required to maintain proof of financial
14 responsibility under [this section](#).

15 Sec. 102. Section 901.5, subsection 10, Code 2018, is
16 amended by striking the subsection.

17 Sec. 103. REINSTATEMENT OF DRIVER'S LICENSE. A defendant's
18 driver's license suspended or revoked pursuant to section
19 901.5, subsection 10, prior to the effective date of this
20 division of this Act, shall be reinstated, if the defendant is
21 otherwise eligible for a driver's license.

22 Sec. 104. CONTINGENT EFFECTIVE DATE. This division of this
23 Act takes effect on the date the governor submits to the United
24 States secretary of transportation a written certification
25 that the governor is opposed to the enforcement in this state
26 of a law described in 23 U.S.C. §159(a)(3)(A) and a written
27 certification that the general assembly has adopted a joint
28 resolution expressing its opposition to the same, in accordance
29 with 23 U.S.C. §159(a)(3)(B). The office of the governor shall
30 notify the Code editor upon submission of the certifications
31 described in this section.>

MICHAEL BREITBACH

SF2419.5822 (3) 87
(amending this SF 2419
to CONFORM to HF 2502)